



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/627,002

07/25/2003

Michael Gabriel

12510/20

3720

26646 7590 02/15/2011

KENYON & KENYON LLP
ONE BROADWAY
NEW YORK, NY 10004

EXAMINER

NGUYEN BA, HOANG VU A

ART UNIT

PAPER NUMBER

2421

MAIL DATE

DELIVERY MODE

02/15/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/627,002	GABRIEL ET AL.	
	Examiner	Art Unit	
	Hoang-Vu A. Nguyen-Ba	2421	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-12, 14-16, 18-21, 23-30, 32-34 and 36-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-12, 14-16, 18-21, 23-30, 32-34 and 36-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114 was filed in this application after a decision by the Board of Patent Appeals and Interferences, but before the filing of a Notice of Appeal to the Court of Appeals for the Federal Circuit or the commencement of a civil action. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on December 22, 2010 has been entered.
2. Claims 2-12, 14-16, 18-21, 23-30, 32-34 and 36-42 are pending. Claims 36, 37, 40, 41 and 42 are independent claims.

Priority

3. The priority date considered for this application is July 25, 2003.

Oath/Declaration

4. The Office acknowledges receipt of a properly signed oath/declaration filed December 24, 2003.

Information Disclosure Statement

5. The Office acknowledges receipt of the Information Disclosure Statement filed July 14, 2010. It has been placed in the application file and the information referred to therein has been considered.

Drawings

6. The drawings filed on July 25, 2003 and November 20, 2006 are objected to because they informal and FIGs. 1, 3 and 4 are not legible because of a too dark background.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

7. The specification is objected to because of the following minor informalities:

at page 1, line 6 of the Summary section, the verb – block – appears to be missing between “parental controls may” and “content”;

at page 7, line 17, the meaning of clause “player system may set to default to the Default Profile” is unclear;

at page 11, line 7, “user” after “User Profile remains in” appears to be mistyped and should be -- use --;

at page 11, line 8, “predetermine” appears to be mistyped and should be – predetermined --.

Claim Rejections – 35 USC §112

8. The following is a quotation of the first paragraph of 35 U.S.C. §112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9. Claims 36-37 and 41 are rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The following limitations are nowhere described in the specification:

“reverting back to the filtering criterion of the default profile in connection with accessing subsequent content responsive to at least one of:

passage of a predetermined length of time;

a predetermined number of content being accessed;

an attempt to access content prohibited by the user profile; and

viewing of content accessed in accordance with the user profile” (claims 36-37);

The closest related description to the above limitations is at page 10, last two paragraphs - page 11, first paragraph. According to discussion in these paragraphs, the only time that the player system **may** automatically revert back to the Default Profile is after a successful login (step 250) - comparison (step 260) operation and attempt to access other content that is not permitted by the Default Profile. Note the use of the verb **may**. It is noted, for the sake of argument, that if a user is logged in as an adult and if s/he is interested in accessing some content that is only permitted for the administrator of the set-top box (STB), and the logging in as an administrator fails, the system does not necessarily revert back to the Default Profile (for all users). Common sense would have the system revert back to the adult profile.

Art Unit: 2421

Furthermore, in another embodiment described in the first paragraph on page 11, it is indicated that the filtering criteria associated with the current User Profile (the adult mentioned above) remains in use for a predetermined length of time or a predetermined number of programs, etc. without the need to log in again. It is noted that nowhere in these paragraphs there is a requirement for the system to revert back to the default system. If there is one, then that would be an inconvenience for the user to log in continuously if the predetermined time or number of programs is/are short/small.

It is thus found that the above-mentioned requirements in claims 36-37 do not have sufficient support in the specification.

The following limitation is nowhere described in the specification:

“wherein the at least one filtering criterion includes a plurality of filtering criteria, a first one of the plurality of filtering criteria overriding a second one of the plurality of filtering criteria.”

Claim Rejections – 35 USC § 103

10. The following is a quotation of the 35 U.S.C. § 103(a) which form the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 36, 2-5, 12, 14, 16, 21, 24-25, 33-34, 37 and 40-41 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,785,901 to Horiwitz et al. (“Horiwitz”) in view of U.S. Patent No. 7,657,267 to Kitazato.

It should be noted that hereinafter the use of the clause “see at least” should be interpreted that the cited portions that follow the clause are not the only portions or descriptions of embodiments that are considered to be relevant. Should Applicant find that the cited portions are not relevant, other portions of the disclosure or descriptions of embodiments of the prior art reference will be provided as additional evidence and/or context to the relevancy of the previously cited portions. Since the evidence is from the same reference, the introduction of the additional evidence in response to Applicant’s arguments should not therefore be considered to be that of new grounds of rejection.

Claim 36

Horiwitz discloses at least a method to control access to content via a player system accessible by a plurality of users, the method comprising:

- providing a default profile including at least one filtering criterion, the filtering criterion describing at least one of a characteristic of content permitted for all of the plurality of users and characteristic of content prohibited for all of the plurality of users (Horiwitz, see at least 2:38-54; 9:19-21; 10:55-62);

- metadata associated with a selected content, the metadata including information related to the selected content (Horiwitz, see at least FIGs. 4-5; 7:17-8:38; 11:1-63).

Horiwitz does not specifically disclose:

- comparing metadata with the filtering criterion of the default profile.

However, in an analogous art, Kitazato teaches a process of matching information content appropriate for a viewer such as a message (e.g., FIG. 4, “Ticket information of Fighters”) with viewer profile condition information (e.g., sports: soccer and favorite team: Fighters—see at least FIG. 4, item 41) in order to display a graphical user interface (GUI) where the viewer can buy tickets for the game.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the matching (the claimed comparing) process of the ticket information message (i.e., the claimed metadata) with the viewer profile condition information (i.e., the claimed filtering criterion of the default profile) as taught by Kitazato in Horiwitz because the use of Kitazato would provide Horiwitz with a comparing process that can be used to facilitate the access control in Horiwitz, thereby enhancing the television viewing experience of users of Horiwitz system.

Horiwitz-Kitazato further discloses:

- permitting or denying access to the content based on the comparison with the filtering criterion of the default profile (Horiwitz, see at least 11:1-63);

- providing a user profile associated with a particular one of the plurality of the users, the user profile including at least one filtering criterion describing at least one of a characteristic of content permitted to be accessed by the particular one of the users and a

Art Unit: 2421

characteristic of content prohibited from being accessed by the particular one of the users (Horiwitz, see at least 2:38-54; 9:19-21; 10:55-62);

comparing the filtering criterion of the user profile and the metadata (see above);

permitting access to the selected content if the content meets the filtering criterion of the user profile (Horiwitz, see at least 11:1-63); and

reverting back to the filtering criterion of the default profile in connection with accessing subsequent content (see at least 11:39-44) responsive to at least one of: passage of a predetermined length of time (Horiwitz, see at least 11:39-41); a predetermined number of content being accessed; an attempt to access content prohibited by the user profile; and viewing of content accessed in accordance with the user profile.

Claims 2-5, 12, 14 and 16

See discussion in the previous Office action.

Claim 21

The rejection of base claim 37 is incorporated. Horiwitz-Kitazato further discloses wherein the processor is provided in a settop box, and wherein the processor controls rendering of the content on a television (Horiwitz, see at least FIG. 2, STB 202).

Claim 24

The rejection of base claim 37 is incorporated. Horiwitz-Kitazato further discloses wherein the processor is configured to manage the default profile and a plurality of user profiles, each of the user profiles being associated with a respective one of the users (Horiwitz, see at least FIG. 6).

Claim 25

The rejection of base claim 37 is incorporated. Horiwitz-Kitazato further discloses wherein the filtering criterion includes at least one of identification of acceptable ratings, identification of acceptable content advisories, identification of prohibited synopsis information,

Art Unit: 2421

identification of prohibited directors, identification of prohibited actors, and identification of prohibited genres (Horiwitz, 7:18-30; 10:58-62).

Claim 33

The rejection of base claim 36 is incorporated. Horiwitz-Kitazato further discloses wherein the selected content is stored on a memory device, the method further comprising: reading metadata associated with the content (Horiwitz, see at least FIG. 1, memory 22).

Claim 34

The rejections of base claim 36 and intervening claim 33 are incorporated. Horiwitz-Kitazato further discloses wherein the metadata includes ratings information (Horiwitz, see at least FIG. 4).

Claim 37

Since claim 37 is a content player version of method claim 36, the rejection set forth in claim 36 is deemed applicable to claim 37.

Claim 40

Horowitz discloses at least a method to control access to content via a player accessible by a plurality of users, the method comprising:

- providing a default profile including at least one filtering criterion, the filtering criterion describing a characteristic of content prohibited for all of the plurality of users, and including a description of a characteristic of content for use as an exception to the characteristic of prohibited content (see at least 2:38-54; 9:19-21; 10:55-62; 11:46-53);

- metadata associated with a selected content, the metadata including information related to the selected content (Horiwitz, see at least FIGs. 4-5; 7:17-8:38; 11:1-63).

Horiwitz does not specifically disclose:

- comparing metadata with the filtering criterion of the default profile.

However, in an analogous art, Kitazato teaches a process of matching information content appropriate for a viewer such as a message (e.g., FIG. 4, "Ticket information of Fighters") with

Art Unit: 2421

viewer profile condition information (e.g., sports: soccer and favorite team: Fighters—see at least FIG. 4, item 41) in order to display a graphical user interface (GUI) where the viewer can buy tickets for the game.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the matching (the claimed comparing) process of the ticket information message (i.e., the claimed metadata) with the viewer profile condition information (i.e., the claimed filtering criterion of the default profile) as taught by Kitazato in Horiwitz because the use of Kitazato would provide Horowitz with a comparing process that can be used to facilitate the access control in Horowitz, thereby enhancing the television viewing experience of users of Horowitz system.

Horiwitz-Kitazato further discloses:

permitting or denying access to the content based on the comparison (Horiwitz, see at least 11:1-63).

Claim 41

Horiwitz discloses at least a method to control access to content via a player system accessible by a plurality of users, the method comprising:

providing a default profile including at least one filtering criterion, the filtering criterion describing at least one of a characteristic of content permitted for all the plurality of users and characteristic of content prohibited for all of the plurality of users (see at least 2:38-54; 9:19-21; 10:55-62);

metadata associated with a selected content, the metadata including information related to the selected content (Horiwitz, see at least FIGs. 4-5; 7:17-8:38; 11:1-63).

Horiwitz does not specifically disclose:

comparing metadata with the filtering criterion of the default profile.

However, in an analogous art, Kitazato teaches a process of matching information content appropriate for a viewer such as a message (e.g., FIG. 4, “Ticket information of Fighters”) with viewer profile condition information (e.g., sports: soccer and favorite team: Fighters—see at least FIG. 4, item 41) in order to display a graphical user interface (GUI) where the viewer can buy tickets for the game.

Art Unit: 2421

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the matching (the claimed comparing) process of the ticket information message (i.e., the claimed metadata) with the viewer profile condition information (i.e., the claimed filtering criterion of the default profile) as taught by Kitazato in Horiwitz because the use of Kitazato would provide Horowitz with a comparing process that can be used to facilitate the access control in Horowitz, thereby enhancing the television viewing experience of users of Horowitz system.

Horiwitz-Kitazato further discloses:

permitting or denying access to the content based on the comparison (Horiwitz, see at least 11:1-63);

wherein the at least one filtering criterion includes a plurality of filtering criteria, a first one of the plurality of filtering criteria overriding a second one of the plurality of filtering criteria (Horiwitz, see at least FIGs. 4-5, e.g., the filtering criterion TV-G includes TV-Y& and TV-Y but overrides all the filtering criteria (e.g., Violence, Sex, Nudity, etc.) under the filtering criterion “Content”).

12. Claims 6 and 26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,785,901 to Horiwitz et al. (“Horiwitz”) in view of U.S. Patent No. 7,657,267 to Kitazato and further in view of U.S. Patent Application Publication No. 2003/0088420 by alSafadi et al. (“alSafadi”).

Claim 6

See the rejection set forth in the previous Office action.

Claim 26

See the rejection set forth in the previous Office action.

13. Claims 7-8, 15 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,785,901 to Horiwitz et al. (“Horiwitz”) in view of U.S. Patent No. 7,657,267 to

Art Unit: 2421

Kitazato and further in view of U.S. Patent Application Publication No. 2003/0014750 by Kamen.

Claim 7

See the rejection set forth in the previous Office action.

Claim 8

See the rejection set forth in the previous Office action.

Claim 15

See the rejection set forth in the previous Office action.

Claim 18

See the rejection set forth in the previous Office action.

14. Claims 9-11, 19-20, 23, 27-30, 32 and 38-39 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,785,901 to Horiwitz et al. (“Horiwitz”) in view of U.S. Patent No. 7,657,267 to Kitazato and further in view of U.S. Patent No. 6,708,335 to Ozer et al. (“Ozer335”).

Claim 9

Horiwitz-Kitazato does not specifically disclose the feature recited in the claim.

However, in an analogous art, Ozer335 disclose:

a URL used in connection with the selected content, associates the metadata with the selected content (see at least 7:13-40); and

obtaining the metadata using the URL (see at least 7:13-40).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use Ozer335 in Horiwitz-Kitazato because the use of Ozer335 would provide Horiwitz-Kitazato with the means to retrieve the metadata that is appropriate to the viewer, thereby enhancing the distribution of targeted advertisement.

Art Unit: 2421

Claim 10

See claim 36 for the rejection of the features recited in the claim. Horiwitz-Kitazato does not specifically disclose:

wherein a pointer to the metadata is encoded in a Vertical Blanking Interval of a signal of the selected content, and the method further comprises comprising obtaining the metadata using the pointer.

However, in an analogous art, Ozer 335 discloses such a feature in at least 7:13-40.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use Ozer335 in Horiwitz-Kitazato because the use of Ozer335 would provide Horiwitz-Kitazato with the means to retrieve the metadata that is appropriate to the viewer, thereby enhancing the distribution of targeted advertisement.

Claim 11

Horiwitz-Kitazato-Ozer335 further discloses:

wherein the pointer is a URL (Ozer335, see at least 7:13-40).

Claim 19

Horiwitz-Kitazato-Ozer335 further discloses:

wherein a pointer to the metadata is associated with the selected content, and wherein the processor is configured to obtain the metadata for the comparison using the pointer (Ozer335, see at least 7:13-40).

Claim 20

Horiwitz-Kitazato-Ozer335 further discloses:

wherein the pointer is a URL (Ozer335, see at least 7:13-40).

Claim 23

Art Unit: 2421

The rejections of base claim 37 and intervening claims 21, 38 are incorporated. Horiwitz-Kitazato-Ozer335 further discloses wherein the pointer is a URL (Ozer335, see at least 7:13-40).

Claim 27

The rejection of base claim 36 is incorporated. Horiwitz-Kitazato does not specifically disclose the feature recited in the claim.

However, in an analogous art, Ozer335 discloses wherein the selected content includes metadata linked thereto via a pointer, the method further comprising: obtaining the metadata using the pointer (see at least 7:13-40).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use Ozer335 in Horiwitz-Kitazato because the use of Ozer335 would provide Horiwitz-Kitazato with the means to retrieve the metadata that is appropriate to the viewer, thereby enhancing the distribution of targeted advertisement.

Claim 28

The rejections of base claim 36 and intervening claim 27 are incorporated. Horiwitz-Kitazato-Ozer335 further discloses wherein the pointer is embedded in a Vertical Blanking Interval (VBI) of a signal of the selected content, and wherein the method further comprises: extracting the pointer from the VBI (Ozer335, see at least 7:13-40).

Claim 29

The rejections of base claim 36 and intervening claim 27 are incorporated. Horiwitz-Kitazato-Ozer335 further discloses wherein the pointer is a URL, and the step of obtaining the metadata of the selected content includes obtaining the metadata over the Internet using the URL (Ozer335, see at least 7:13-40).

Claim 38

The rejections of base claim 37 and intervening claim 21 are incorporated. Horiwitz-Kitazato-Ozer335 further discloses wherein the processor is configured to obtain a pointer to the

Art Unit: 2421

metadata, the pointer being encoded in a vertical blanking interval of a signal of the selected content, and wherein the processor obtains the metadata for the comparison using the pointer (Ozer335, see at least 7:13-40).

Claim 30

The rejection of base claim 37 is incorporated. Horiwitz-Kitazato does not specifically disclose the feature recited in the claim.

However, in an analogous art, Ozer335 discloses wherein the processor is configured to obtain to metadata associated with the selected content, and to obtain the metadata using the pointer (see at least 7:13-40).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use Ozer335 in Horiwitz-Kitazato because the use of Ozer335 would provide Horiwitz-Kitazato with the means to retrieve the metadata that is appropriate to the viewer, thereby enhancing the distribution of targeted advertisement.

Claim 32

The rejections of base claim 37 and intervening claim 30 are incorporated. Horiwitz-Kitazato-Ozer335 further discloses wherein the pointer is a URL, and the processor is further configured to obtain the metadata over the Internet using the URL (Ozer335, see at least 7:13-40).

Claim 39

The rejections of base claim 37 and intervening claim 30 are incorporated. Horiwitz-Kitazato-Ozer335 further discloses wherein the processor is configured to extract the pointer from a vertical blanking interval (VBI) of a signal of the selected content (Ozer, see at least 7:13-40).

15. Claim 42 is rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,785,901 to Horiwitz et al. (“Horiwitz”) in view of U.S. Patent No. 7,657,267 to Kitazato and

Art Unit: 2421

further in view of U.S. Patent Application Publication No. 2002/0013941 by Ward, III et al. (“Ward”).

Claim 42

Horiwitz discloses at least a method to control access to content via a player system accessible by a plurality of users, the method comprising:

providing a default profile including at least one filtering criterion, the filtering criterion describing at least one of a characteristic of content permitted for all the plurality of users and characteristic of content prohibited for all of the plurality of users (see at least 2:38-54; 9:19-21; 10:55-62);

metadata associated with a selected content, the metadata including information related to the selected content (Horiwitz, see at least FIGs. 4-5; 7:17-8:38; 11:1-63).

Horiwitz does not specifically disclose:

comparing metadata with the filtering criterion of the default profile.

However, in an analogous art, Kitazato teaches a process of matching information content appropriate for a viewer such as a message (e.g., FIG. 4, “Ticket information of Fighters”) with viewer profile condition information (e.g., sports: soccer and favorite team: Fighters—see at least FIG. 4, item 41) in order to display a graphical user interface (GUI) where the viewer can buy tickets for the game.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the matching (the claimed comparing) process of the ticket information message (i.e., the claimed metadata) with the viewer profile condition information (i.e., the claimed filtering criterion of the default profile) as taught by Kitazato in Horiwitz because the use of Kitazato would provide Horiwitz with a comparing process that can be used to facilitate the access control in Horiwitz, thereby enhancing the television viewing experience of users of Horiwitz system.

Horiwitz-Kitazato further discloses:

permitting or denying access to the content based on the comparison (Horiwitz, see at least 11:1-63).

Horiwitz-Kitazato does not specifically disclose the remaining feature of the claim.

Art Unit: 2421

However, in an analogous art, Ward discloses:

displaying a user interface having fields for logging into the user profile in response to an attempt to access content prohibited according to the default profile (see at least FIG. 21).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the interface as disclosed in Ward in Horiwitz-Kitazato because the use of Ward would provide Horiwitz-Kitazato with a means for better access control to the appropriate profile, thereby enhancing the use of V-chip use.

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoang-Vu "Antony" Nguyen-Ba whose telephone number is (571) 272-3701. The examiner can normally be reached on Monday-Friday from 9:00 AM to 17:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller, can be reached at (571) 272-7353.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Hoang-Vu Antony Nguyen-Ba/

Primary Examiner, Art Unit 2421

February 11, 2011

Art Unit: 2421